

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DINAH L. NELSON,

Plaintiff,

CIVIL CASE NO. 06-14163

v.

COMMISSIONER OF SOCIAL SECURITY,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT JUDGE

Defendant.

_____ /

ORDER ACCEPTING REPORT AND RECOMMENDATION

Before the Court are the parties' cross-motions for summary judgment and Magistrate Judge Mona K. Majzoub's June 7, 2007 Report and Recommendation. Magistrate Judge Majzoub's Report and Recommendation recommends that the Court grant Defendant's Motion for Summary Judgment, deny Plaintiff's Motion for Summary Judgment, and that Plaintiff's complaint be dismissed. The Report and the Recommendation also notified the parties that any objections must be filed within ten days of service of the Report and Recommendation. No party has filed objections.

The Court's standard of review for a magistrate judge's Report and Recommendation depends upon whether a party files objections. If a party does not object to the Report and Recommendation, the Court does not need to conduct a review by any standard. *See Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed, "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those

findings.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Because neither party filed timely objections to Magistrate Judge Majzoub’s Report and Recommendation, *see* 28 U.S.C. § 636(B)(1)(c); Fed. R. Civ. P. 6(e), this Court need not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendation [docket entry #16] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Summary Judgment [docket entry #9] is **DENIED**; Defendant’s Motion for Summary Judgment [docket entry #15] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff’s complaint is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

Dated: July 18, 2007

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on July 18, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Janet L. Parker; Norton J. Cohen, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
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